

From: Jason Alexander Crosswhite
To: Microsoft ATR
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To Whom It May Concern,

I am very unsatisfied with the current verdict for the following reasons:

Microsoft is a monopoly. I have seen the whole industry suffer for it. I would like to see a structural remedy rather than a conduct-only remedy. I see their current arguments as more of what we have seen from Microsoft for years. You might as well have not have even tried to prosecute them. Its not even a slap on the wrist.

Interoperability enforcement needs to be stronger. Not only does Microsoft need to make its formats and protocols openly available (especially, for instance the file format for Word, Excel, etc.), but it needs to make it available for the open/free software community. Wording in the settlement precludes this, and open/free software is starting to be some of the only real competition to Microsoft in several areas.

There is no penalty for Microsoft's past misdeeds. This is astonishing!

Microsoft has consistently not lived by the intent or spirit of past agreements, and has consistently been a bad member in the software community. The settlement relies on elements that will play directly in to their hands: secrecy, lacking independence, and able to be influenced by Microsoft.

The provisions in J.1 and J.2 give Microsoft too much leaway. They should have to justify secrecy to a high degree. I am especially worried in this regard to the free/open software community. The internet relies on this typ of software (For instance, 'bind' is free software, which is universally used on the internet to transfer domain names (like usdoj.gov) to numbers computers can understand (like 128.223.95.56). Apache is a free web server that runs on the majority of servers on the internet.). Any type of encumbrence on this community would allow the Microsft verdict to be used _for it's advantage_!!!!

Please seek a better resolution to these matters. Hopefully a structural one in addition to the problems listed above.

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